

CITY COUNCIL MINUTES
February 13, 2012

The Honorable Council of the City of Evansville met on regular session at 5:30 p.m. on Monday, February 13, 2012 in the City Council Chambers, Room 301 Civic Center Complex, Evansville, Indiana, with President Connie Robinson presiding. The following business was conducted.

These minutes are not intended to be a verbatim transcript. Audiotapes of this meeting are on file in the City Clerk's Office.

ROLL CALL:

Present: M^cGinn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, O'Daniel, and Weaver, Robinson.

There being nine (9) members present and zero (0) members absent and nine (9) members representing a quorum, I hereby declare this session of the Common Council officially open.

PLEDGE OF ALLEGIANCE

This evening the pledge of allegiance will be led by Councilman Adams.

President Robinson: Fellow Councilmen and those in the audience, welcome to the February 13, 2012 meeting of the Common Council.

COUNCIL ATTORNEY

This evening John Hamilton is City Council Attorney.

SERGEANT AT ARMS

This evening Officer Smith and Officer Nutt is our Sergeant at Arms.

READING AND AMENDMENT OF MINUTES OF PRECEDING MEETING

Is there a motion to approve the minutes of the January 23, 2012 meeting of the Common Council as written?

Councilman Adams moved and Councilman O'Daniel seconded the motion that the minutes of the regular meeting of the Common Council held January 23, 2012 be approved as written. Voice vote. So ordered.

REPORTS AND COMMUNICATIONS
IN YOUR FEBRUARY 10th PACKET:

- *City Council Agenda for February 13, 2012 meeting.
- *City Council Meeting Minutes from the January 23, 2012.
- *Committee Meeting Schedule.
- *Rezoning Ordinances R-2012-1, R-2012-2, R-2012-3, R-2012-4, R-2012-5 and R-2012-6.
- *Ordinance G-2012-4
- *Vacation Studies and return receipts for Ordinance G-2012-2.
- *Three letters regarding the smoking ordinance.
- *February schedule of meetings in the City/County Administration Building.

*A Memorandum from City Controller Russell G. Lloyd, Jr. regarding the 2011 Investment Report questions.

ON YOUR DESK THIS EVENING:

- *Revised Memorandum from Russell G. Lloyd, Jr. regarding the 2011 Investment Report.
- *A copy of a Resolution of the Evansville Convention and Visitors Bureau regarding the promotion of tourism, Casino Aztar and the smoking exception.
- *A list of scheduled meetings for the Evansville/Vanderburgh County Advisory Board On Disability Services.

Councilwoman Mosby moved and Councilman Friend seconded the motion to receive, file and make these reports and communications a part of the minutes of the meeting. Voice vote. So ordered.

CONSENT AGENDA

FIRST READING OF ORDINANCES OR RESOLUTIONS

ORDINANCE G-2012-1 PUBLIC WORKS (McGINN) ADAMS, McGINN

An Ordinance amending Chapter 8.30 of the Evansville Municipal Code (Smoking Ordinance)

ORDINANCE G-2012-2 PUBLIC WORKS McGINN

An Ordinance to vacate certain public ways or public places within the City of Evansville, Indiana, commonly known as Carol Drive

ORDINANCE G-2012-3 A.S.D. MOSBY

Application for Certification of Convenience and Necessity for Taxicabs. (Mighty Cab LLC.)

ORDINANCE G-2012-4 A.S.D. MOSBY

An Ordinance amending Title 5 (business licenses and regulations) and Title 15 (buildings and construction) of the Evansville Municipal code.

ORDINANCE R-2012-1 TO APC C-2 TO M-2

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 1430 West Franklin Street

Petitioner: Davidson Family Adventures, LLC
Owners: D. Andy Davidson
Representative: Brian K. Carroll
District: Al Lindsey, Ward 6

ORDINANCE R-2012-2 TO APC M-1 TO M-2 with U&D Comm.

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 5701 Old Boonville Hwy. and 5727 Old Boonville Hwy.

Petitioner: Hoosier Bluegrass, LLC
Owners: Same
Representative: Krista B. Lockyear
District: Stephanie Brinkhoff-Riley, Ward 3

ORDINANCE R-2012-3**TO APC****R-2 to C-1**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 517 and 521 Monroe Avenue, Evansville, Indiana 47713

Petitioner: Annie J. Robinson
Owners: Same
Representative: Douglas K. Briody, Esq.
District: Constance Robinson, Ward 4

ORDINANCE R-2012-4**TO APC****R-4 to C-4 with U&D Comm.**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 306 Chandler Ave., Evansville, Indiana 47713

Petitioner: ECHO Community Health Care, Inc.
Owners: Same
Representative: Krista B. Lockyear
District: Constance Robinson, Ward 4

ORDINANCE R-2012-5**TO APC****C-4 & R-1 to C-4**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 2317 S. Weinbach Avenue & 1804 E. Riverside

Petitioner: East Side Marine, Inc.
Owners: Robert Wayne and Dixie Lee Herendeen
Representative: Krista B. Lockyear
District: Missy Mosby, Ward 2

ORDINANCE R-2012-6**TO APC****R-1 to R-3**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 2015 N. Weinbach Avenue.

Petitioner: Robert K. Barber
Owners: Robert K. & Teresa E. Barber
Representative:
District: Stephanie Brinkerhoff-Riley, Ward 3

Councilwoman Mosby moved and Councilman Friend seconded the Motion to adopt the Consent Agenda as written. Voice vote. So ordered.

CONSENT AGENDA**SECOND READING OF ORDINANCES AND RESOLUTIONS****ORDINANCE G-2012-1 (as amended) PUBLIC WORKS (McGINN) ADAMS, McGINN**

An Ordinance amending Chapter 8.30 of the Evansville Municipal Code (Smoking Ordinance)

ORDINANCE G-2012-2 PUBLIC WORKS**McGINN**

An Ordinance to vacate certain public ways or public places within the City of Evansville, Indiana, commonly known as Carol Drive

ORDINANCE G-2012-3**A.S.D.****MOSBY**

Application for Certification of Convenience and Necessity for Taxicabs. (Mighty Cab LLC.)

COMMITTEE REPORTS:

PUBLIC WORKS COMMITTEE

CHAIRMAN McGINN

Councilman McGinn: Mr. President, your Public Works Committee met this evening to hear Ordinances G-2012-1(as amended) and G-2012-2 and they come forward with a do-pass recommendation.

A.S.D. COMMITTEE:

CHAIRWOMAN MOSBY

Councilwoman Mosby: Mr. President, your A.S.D. Committee met this evening to hear Ordinance G-2012-3 and it comes forward with a do-pass recommendation.

Councilman Friend moved and Councilman O'Daniel seconded the motion to adopt the Committee Reports and move these ordinances to Third Reading. Voice vote. So ordered.

REGULAR AGENDA

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE G-2012-1(as amended) PUBLIC WORKS (McGINN) ADAMS, McGINN

An Ordinance amending Chapter 8.30 of the Evansville Municipal Code (Smoking Ordinance)

Councilman Friend moved and Councilman O'Daniel seconded the motion to adopt Ordinance G-2012-1 (as amended) and call the roll.

ROLL CALL

Ayes: McGinn, Brinkerhoff-Riley, Friend, Lindsey, Adams, O'Daniel, Robinson.

Nays: Mosby, Weaver.

There being seven (7) Ayes and two (2) Nays, Ordinance G-2012-1(as amended) is hereby declared adopted.

REGULAR AGENDA

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE G-2012-2 PUBLIC WORKS McGINN

An Ordinance to vacate certain public ways or public places within the City of Evansville, Indiana, commonly known as Carol Drive.

Councilwoman Mosby moved and Councilwoman Brinkerhoff-Riley seconded the motion to adopt Ordinance G-2012-2 and call the roll.

ROLL CALL

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson.

There being nine (9) Ayes and zero (0) Nays, Ordinance G-2012-2 is hereby declared adopted.

REGULAR AGENDA

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE G-2012-3

A.S.D.

MOSBY

Application for Certification of Convenience and Necessity for Taxicabs. (Mighty Cab LLC.)

Councilman O'Daniel moved and Councilwoman Mosby seconded the motion to adopt Ordinance G-2012-3 and call the roll.

ROLL CALL

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson.

There being nine (9) Ayes and zero (0) Nays, Ordinance G-2012-3 is hereby declared adopted.

MISCELLANEOUS BUSINESS

There will not be a City Council Meeting on Monday, February 20, 2012 (Presidents Day). The next City Council meeting will be Monday, February 27, 2012 at 5:30 p.m. Committee Meetings will begin at 5:20 p.m. on February 27th.

APPROVAL OF MAYOR'S APPOINTMENTS TO THE HISTORIC PRESERVATION COMMISSION:

President Robinson: Mayor Winnecke's appointments to the Historic Preservation Commission are Dan DeYoung and J. Martin Fraering. City Ordinance states that the City Council must vote to approve these appointments.

Councilman McGinn moves and Councilman Adams seconds the motion to approve Dan DeYoung and J. Martin Fraering as the Mayor's appointments to the Historic Preservation Commission. Voice vote. So ordered.

COMMITTEE REPORTS:

ASD COMMITTEE:

Re: Ordinance G-2012-4

Date: February 27, 2012

Time: 5:20 p.m.

Notify: Ben Miller/Ted Ziemer

CHAIRWOMAN MOSBY

Amending Title 5 of the Municipal Code regarding business licenses and regulations and Title 15 regarding Buildings and Construction.

PUBLIC WORKS COMMITTEE:

Nothing scheduled at this time.

CHAIRMAN MCGINN

FINANCE COMMITTEE:

Nothing scheduled at this time.

CHAIRMAN FRIEND

ADJOURNMENT

Councilwoman Mosby moved and Councilman Friend seconded the motion to adjourn.
Voice Vote. So Ordered.

Meeting adjourned at 8:50 p.m.



President



Alberta Matlock, City Clerk

ROLL CALL

PLEDGE OF ALLEGIANCE

RECOGNITION OF SCHOOLS

TEEN ADVISORY COUNCIL

READING AND AMENDMENT OF MINUTES

REPORTS AND COMMUNICATIONS

CONSENT AGENDA

FIRST READING OF ORDINANCES OR RESOLUTIONS

ORDINANCE G-2012-1 PUBLIC WORKS (McGINN) ADAMS, McGINN

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ORDINANCE R-2012-1 TO APC C-2 TO M-2

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 1430 West Franklin Street

Petitioner: Davidson Family Adventures, LLC
Owners: D. Andy Davidson
Representative: Brian K. Carroll
District: Al Lindsey, Ward 6

ORDINANCE R-2012-2 TO APC M-1 TO M-2 with U&D Comm.

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 5701 Old Boonville Hwy. and 5727 Old Boonville Hwy.

Petitioner: Hoosier Bluegrass, LLC
Owners: Same
Representative: Krista B. Lockyear
District: Stephanie Brinkhoff-Riley, Ward 3

ORDINANCE R-2012-3 TO APC R-2 to C-1

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 517 and 521 Monroe Avenue, Evansville, Indiana 47713

Petitioner: Annie J. Robinson
Owners: Same
Representative: Douglas K. Briody, Esq.
District: Constance Robinson, Ward 4

ORDINANCE R-2012-4 TO APC R-4 to C-4 with U&D Comm.

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 306 Chandler Ave., Evansville, Indiana 47713

Petitioner: ECHO Community Health Care, Inc.
Owners: Same
Representative: Krista B. Lockyear
District: Constance Robinson, Ward 4

ORDINANCE R-2012-5 TO APC C-4 & R-1 to C-4 with U & D Comm.

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 2317 S. Weinbach Avenue & 1804 E. Riverside

Petitioner: East Side Marine, Inc.
Owners: Robert Wayne and Dixie Lee Herendeen
Representative: Krista B. Lockyear
District: Missy Mosby, Ward 2

ORDINANCE R-2012-6 TO APC R-1 to R-3

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 2015 N. Weinbach Avenue.

Petitioner: Robert K. Barber
Owners: Robert K. & Teresa E. Barber
Representative: Stephanie Brinkerhoff-Riley, Ward 3
District: Stephanie Brinkerhoff-Riley, Ward 3

CONSENT AGENDA

SECOND READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE G-2012-1 PUBLIC WORKS (McGINN) ADAMS, McGINN

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REGULAR AGENDA

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APPROVAL OF MAYOR'S APPOINTMENTS TO THE HISTORIC PRESERVATION COMMISSION:

City Council will vote to approve Dan DeYoung and J. Martin Fraering as the Mayor's appointments to the Historic Preservation Commission.

MISCELLANEOUS BUSINESS

There will not be a City Council Meeting on Monday, February 20, 2012 (Presidents Day). The next City Council meeting will be Monday, February 27, 2012 at 5:30 p.m. Committee Meetings will begin at 5:20 p.m. on February 27th.

ADJOURNMENT

CITY COUNCIL COMMITTEE MEETING SCHEDULE

February 13, 2012

A.S.D. COMMITTEE:

Re: Ordinance G-2012-3

Date: February 13, 2012

Time: 4:50 p.m.

Notify: John Noback

CHAIRWOMAN MOSBY

An application for Certificate of Convenience
and Necessity for Taxicabs

PUBLIC WORKS COMMITTEE:

Re: Ordinance G-2012-2

Date: February 13, 2012

Time: 5:00 p.m.

Notify: Paul K. Neville, II

CHAIRMAN M^cGINN

A petition to vacate a public way (Carol Drive)

Re: Ordinance G-2012-1

Date: February 13, 2012

Time: 5:10 p.m. to 5:30 p.m.

Notify: Dan M^cGinn/Dan Adams

An ordinance amending the smoking ordinance

February 27, 2012

A.S.D. COMMITTEE:

Re: Ordinance G-2012-4

Date: February 27, 2012

Time: 5:20 p.m.

Notify: Ben Miller/Ted Ziemer

CHAIRWOMAN MOSBY

An ordinance amending Title 5
(Business licenses and regulations)
and Title 15
(buildings and construction)

The Honorable Council of the City of Evansville is hereby called to order. Madam Clerk, please call the roll.

ROLL CALL

✓ <u> </u> M ^e GINN	✓ <u> </u> FRIEND	✓ <u> </u> O'DANIEL
✓ <u> </u> MOSBY	✓ <u> </u> LINDSEY	✓ <u> </u> WEAVER
✓ <u> </u> BRINKERHOFF-RILEY	✓ <u> </u> ADAMS	✓ <u> </u> ROBINSON

There being 9 members present, 0 members absent, and 9 members representing a quorum, I hereby declare this session of Common Council officially opened.

PLEDGE OF ALLEGIANCE

This evening the pledge of allegiance will be led by Adams.

Fellow Councilmen and those in the audience, welcome to the February 13, 2012 meeting of the Common Council.

RECOGNITION OF SCHOOLS

Are there any students in the audience who would like to be recognized?

SCHOOL: _____
NAME: _____

SCHOOL: _____
NAME: _____

TEEN ADVISORY COUNCIL

COUNCIL ATTORNEY

This evening John Hamilton is City Council Attorney.

SERGEANT AT ARMS

This evening Officer Smith + Nut is our Sergeant at Arms.

READING AND AMENDMENT OF MINUTES OF PRECEDING MEETING

Is there a motion to approve the minutes of the January 23, 2012 meeting of the Common Council as written?

Councilman Adams moved and Councilman O'Daniel seconded the motion that the minutes of the regular meeting of the Common Council held January 23, 2012 be approved as written. Voice vote. _____ So ordered. _____

REPORTS AND COMMUNICATIONS
IN YOUR FEBRUARY 10th PACKET:

- *City Council Agenda for February 13, 2012 meeting.
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- *Committee Meeting Schedule.
- *Rezoning Ordinances R-2012-1, R-2012-2, R-2012-3, R-2012-4, R-2012-5 and R-2012-6.
- *Ordinance G-2012-4
- *Vacation Studies and return receipts for Ordinance G-2012-2.
- *Three letters regarding the smoking ordinance.
- *February schedule of meetings in the City/County Administration Building.
- *A Memorandum from City Controller Russell G. Lloyd, Jr. regarding the 2011 Investment Report questions.

ON YOUR DESK THIS EVENING:

- *Revised Memorandum from Russell G. Lloyd, Jr. regarding the 2011 Investment Report.
- *A copy of a Resolution of the Evansville Convention and Visitors Bureau regarding the promotion of tourism, Casino Aztar and the smoking exception.
- *A list of scheduled meetings for the Evansville/Vanderburgh County Advisory Board On Disability Services.

Councilman Mosby moved and Councilman Friend

seconded the motion to receive, file and make these reports and communications a part of

the minutes of the meeting. Voice vote. ✓ So ordered. ✓

CONSENT AGENDA

FIRST READING OF ORDINANCES OR RESOLUTIONS

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Petitioner: Davidson Family Adventures, LLC
Owners: D. Andy Davidson
Representative: Brian K. Carroll
District: Al Lindsey, Ward 6

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An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 5701 Old Boonville Hwy. and 5727 Old Boonville Hwy.

Petitioner: Hoosier Bluegrass, LLC
Owners: Same
Representative: Krista B. Lockyear
District: Stephanie Brinkhoff-Riley, Ward 3

ORDINANCE R-2012-3 TO APC R-2 to C-1

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 517 and 521 Monroe Avenue, Evansville, Indiana 47713

Petitioner: Annie J. Robinson
Owners: Same
Representative: Douglas K. Briody, Esq.
District: Constance Robinson, Ward 4

ORDINANCE R-2012-4 TO APC R-4 to C-4 with U&D Comm.

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 306 Chandler Ave., Evansville, Indiana 47713

Petitioner: ECHO Community Health Care, Inc.
Owners: Same
Representative: Krista B. Lockyear
District: Constance Robinson, Ward 4

ORDINANCE R-2012-5 **TO APC** **C-4 & R-1 to C-4**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 2317 S. Weinbach Avenue & 1804 E. Riverside

Petitioner: East Side Marine, Inc.
Owners: Robert Wayne and Dixie Lee Herendeen
Representative: Krista B. Lockyear
District: Missy Mosby, Ward 2

ORDINANCE R-2012-6 **TO APC** **R-1 to R-3**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 2015 N. Weinbach Avenue.

Petitioner: Robert K. Barber
Owners: Robert K. & Teresa E. Barber
Representative: Stephanie Brinkerhoff-Riley
District: Stephanie Brinkerhoff-Riley, Ward 3

Is there a motion to adopt the Consent Agenda as written?

Councilman Mosby moved and Councilman Friend seconded the

Motion to adopt the Consent Agenda as written. Voice vote. ✓ So ordered. ✓

CONSENT AGENDA

SECOND READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE G-2012-1 PUBLIC WORKS (McGINN) ADAMS, McGINN

An Ordinance amending Chapter 8.30 of the Evansville Municipal Code (Smoking Ordinance)

ORDINANCE G-2012-2 PUBLIC WORKS McGINN

An Ordinance to vacate certain public ways or public places within the City of Evansville, Indiana, commonly known as Carol Drive

ORDINANCE G-2012-3 A.S.D. MOSBY

Application for Certification of Convenience and Necessity for Taxicabs. (Mighty Cab LLC.)

COMMITTEE REPORTS:

PUBLIC WORKS COMMITTEE

CHAIRMAN McGINN

Councilman McGINN: Mr. President, your Public Works Committee met this evening to hear Ordinances G-2012-1 and G-2012-2 and they come forward with a (do-pass/~~do-not-pass~~) recommendation. *Amended* *DO Pass*

A.S.D. COMMITTEE:

CHAIRWOMAN MOSBY

Councilwoman Mosby: Mr. President, your A.S.D. Committee met this evening to hear Ordinances G-2012-3 and it comes forward with a (do-pass/~~do-not-pass~~) recommendation.

Councilman Friend moved and Councilman O'Daniel seconded the motion to adopt the Committee Reports and move these ordinances to Third Reading.

Voice vote. ✓ So ordered. ✓

REGULAR AGENDA

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE G-2012-1 PUBLIC WORKS (McGINN) ADAMS, McGINN

An Ordinance amending Chapter 8.30 of the Evansville Municipal Code (Smoking Ordinance)

Is there a motion to adopt Ordinance G-2012-1 ^{AS} and call the roll?

Councilman Friend moved and Councilman O'Daniel seconded the motion to adopt Ordinance G-2012-1 and call the roll.

ROLL CALL

✓ McGINN

ND MOSBY

✓ BRINKERHOFF-RILEY

✓ FRIEND

✓ LINDSEY

✓ ADAMS

✓ O'DANIEL

ND WEAVER

✓ ROBINSON

There being 7 Ayes and 2 Nays, Ordinance G-2012-1 is hereby declared
~~ADOPTED/DENIED~~

REGULAR AGENDA

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE G-2012-2 PUBLIC WORKS

McGINN

An Ordinance to vacate certain public ways or public places within the City of Evansville, Indiana, commonly known as Carol Drive

Is there a motion to adopt Ordinance G-2012-2 and call the roll?

Councilman Mosby moved and Councilman Riley seconded the motion to adopt Ordinance G-2012-2 and call the roll.

ROLL CALL

✓ McGINN

✓ FRIEND

✓ O'DANIEL

✓ MOSBY

✓ LINDSEY

✓ WEAVER

✓ BRINKERHOFF-RILEY

✓ ADAMS

✓ ROBINSON

There being 9 Ayes and 0 Nays, Ordinance G-2012-2 is hereby declared
ADOPTED/~~DENIED~~.

REGULAR AGENDA

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE G-2012-3

A.S.D.

MOSBY

Application for Certification of Convenience and Necessity for Taxicabs. (Mighty Cab LLC.)

Is there a motion to adopt Ordinance G-2012-3 and call the roll?

Councilman Daniel moved and Councilman Mosby seconded the motion to adopt Ordinance G-2012-3 and call the roll.

ROLL CALL

☒ M^cGINN

☒ FRIEND

☒ O'DANIEL

☒ MOSBY

☒ LINDSEY

☒ WEAVER

☒ BRINKERHOFF-RILEY

☒ ADAMS

☒ ROBINSON

There being 9 Ayes and 0 Nays, Ordinance G-2012-3 is hereby declared
~~ADOPTED/DENIED.~~

MISCELLANEOUS BUSINESS

There will not be a City Council Meeting on Monday, February 20, 2012 (Presidents Day). The next City Council meeting will be Monday, February 27, 2012 at 5:30 p.m. Committee Meetings will begin at 5:20 p.m. on February 27th.

APPROVAL OF MAYOR'S APPOINTMENTS TO THE HISTORIC PRESERVATION COMMISSION:

President Robinson: Mayor Winnecke's appointments to the Historic Preservation Commission are Dan DeYoung and J. Martin Fraering. City Ordinance states that the City Council must vote to approve these appointments.

Councilman Mc Ginn moves and Councilman Adams seconds the motion to approve Dan DeYoung and J. Martin Fraering as the Mayor's appointments to the Historic Preservation Commission. Voice vote. So ordered.

COMMITTEE REPORTS:

ASD COMMITTEE:

Re: Ordinance G-2012-4

Date: February 27, 2012

Time: 5:20 p.m.

Notify: Ben Miller/Ted Ziemer

CHAIRWOMAN MOSBY

Amending Title 5 of the Municipal Code
regarding business licenses and regulations
and Title 15 regarding Buildings and
Construction.

PUBLIC WORKS COMMITTEE:

Nothing scheduled at this time.

CHAIRMAN MCGINN

FINANCE COMMITTEE:

Nothing scheduled at this time.

CHAIRMAN FRIEND

ADJOURNMENT

Councilman Mosby moved and Councilman Friend
seconded the motion to adjourn. Voice Vote. — So Ordered. —

Meeting adjourned at 8:50 p.m.

AMERICAN LUNG ASSOCIATION® IN INDIANA

February 13, 2012

Alison Martin
Executive Director

115 West Washington Street
Suite 1180 S
Indianapolis, IN 46204
Phone: 317-819-1181
Fax: 317-819-1187

800-LUNG USA
www.LungIN.org

Dear Councilors,

On behalf of the American Lung Association in Indiana Board of Directors, we are writing to urge you to support a strong smokefree ordinance for the city of Evansville. The American Lung Association supports the right of all Evansville residents and workers to breathe smokefree air in public places and work sites.

Exposure to secondhand smoke causes many of the same tobacco-related diseases and premature death as active smoking, including increasing nonsmokers' heart disease, stroke and cancer risk. Right here in Indiana 1,240 adult nonsmokers die each year from exposure to secondhand smoke, that's nearly four Hoosiers every day.

Not only is exposure to secondhand smoke in the workplace dangerous to health, it is costing communities across Indiana millions of dollars. A 2011 report from the Bowen Research Center at the Indiana University School of Medicine concluded that secondhand smoke costs Indiana \$1.3 billion per year, or \$201 per Indiana taxpayer.

The Indiana Chamber of Commerce has once again released their legislative priorities for 2012. Amongst education reform and economic development, the Chamber has prioritized making all workplaces in Indiana smokefree. They stated, "Support total ban on smoking in the workplace. Smoking is detrimental to employee health and productivity, and contributes to higher premiums for businesses providing employee health benefits."

Smokefree laws are good for health, good for the economy and widely supported amongst Indiana voters. Two recent polls, one a poll of rural Hoosiers in four Indiana Counties and the other a state-wide poll, both concluded that 66 percent of adults would support an requiring all workplaces, including restaurants and bars, to be totally smokefree.

The American Lung Association believes that smokefree air ordinances are a public health issue and governments have the right and responsibility to enact them for the health benefits of all employees and residents.

At this time, more than half the United States population benefits from laws that require workplaces, including bars, to be smoke free.

The American Lung Association Board of Directors urges your support of the strongest possible smokefree air ordinance that eliminates employee exposure to secondhand smoke in the workplace.

Thank you for your consideration.

Sincerely,



William B. Stephan
Chair, Indiana Board of Directors
American Lung Association



Michael Busk, M.D.
Vice Chair, Indiana Board of Directors
American Lung Association

Estimating the Economic Impact of Secondhand Smoke on Indiana in 2010

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Secondhand smoke costs Indiana \$1.3 billion dollars¹ in excess medical expenses and premature loss of life, or about \$201 dollars per person each year. The burden of these expenses is assumed by businesses, government, and individual citizens.

Overall costs of attributed to secondhand smoke for Indiana residents in 2010 = \$1.3 billion dollars

Secondhand smoke health care costs Indiana \$201 dollars per person each year.

Exposure to secondhand smoke causes many medical conditions in adults, including lung cancer, nasal sinus cancer, breast cancer, cervical cancer, ischemic heart disease, stroke, eye and nasal irritation, spontaneous abortions and asthma. In addition, other studies have suggested that exposure to secondhand smoke may be causally associated with adult leukemia, angina pectoris (severe chest pain), hearing loss, allergies, periodontal disease, dysmenorrhea (severe pelvic pain during menstruation), colds, pneumonia, meningitis, macular degeneration, congestive heart failure and cardiac arrhythmia.

Scientific evidence confirms that there is no safe, risk-free level of exposure to secondhand smoke.

Exposure of children to secondhand smoke has been linked to low birth weight, sudden infant death syndrome, respiratory syncytial virus bronchiolitis (RSV), asthma exacerbations, otitis media (middle ear infections), chronic respiratory symptoms, cystic fibrosis exacerbation, allergies, meningitis, loss of hearing and cognitive behavioral impairment. In addition, many adults and children are injured in fires started by smoking.

At least 1,426 adults, children and infants in Indiana died in 2008 from diseases definitively tied to secondhand smoke by the US Surgeon General (not including approximately 45 spontaneous abortions). These lives lost are entirely preventable.

¹ Based on data from 2008 death data and 2010 hospital discharges, reported in 2010 dollars.

**Total Health Care and Loss of Life Costs for Selected SHS Related Conditions
Indiana, 2010**

Adults

Total Hospitalization Costs	\$237,805,414	
Total Loss of Life Costs	\$878,969,396	
Total Costs for Adults		\$1,116,774,810

Children

Total Health Care Costs	\$89,392,911	
Total Loss of Life Costs	\$98,629,666	
Total Costs for Children		\$188,022,577

Total Costs for Adults and Children **\$1,304,797,387**

Population of Indiana, 2010¹ **6,483,802**

Total per Capita Costs **\$201.24**

Citation: Zollinger, T., Saywell, R., Lewis, C. Estimating the Economic Impact of Secondhand Smoke on Indiana in 2010. Bowen Research Center – Indiana University School of Medicine, January 2012.

The full study can be found at: www.in.gov/isdh/tpc on the Evaluation and Research: Key Reports and Research Articles page.